

REMARKS

The Examiner has rejected claims 1-7. By this amendment, claims 1 and 7 have been amended, no claims have been cancelled, and new claims 8-16 have been added. As a result, claims 1-16 remain pending in this application. No new matter has been added.

The undersigned acknowledges that the Examiner has found claims 3, 4 and 6 allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims, as well as to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph.

Drawings

The Examiner has objected to the drawings because the written specification filed on November 14, 2005 appears to cancel all references to Figures 9-12, however Figures 9-12 were not cancelled. The undersigned agrees with the Examiner in regard to Figures 10-12 and these drawings have been cancelled. Figure 9 remains in the drawings. The written specification as filed includes a reference to Figure 9 on page 7, lines 11-24. A substitute specification has been submitted herewith as suggested by the Examiner for clarification. Therefore, reconsideration of this objection is requested.

Specification

The Examiner has objected to the specification as filed because of certain references to Figures 9-12. In response, Figures 10-12 have been cancelled and a substitute specification has been submitted herewith which contains no references to Figures 10-12. Figure 9 remains in the drawings, and references to Figure 9 are included in the substitute specification. Therefore, reconsideration of this objection is requested.

Rejections under 35 U.S.C. 112

Claims 1-7 are rejected under 35 U.S.C. 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1 and 7 have been amended as requested by the Examiner to address language to which the Examiner cited. Therefore, reconsideration of this rejection is requested.

Rejections under 35 U.S.C. 102(b)

Claim 1 was rejected under 35 U.S.C. 102(b) as anticipated by Coelln (US 5,464,086). Applicant respectfully submits that claim 1 is patentable over the above cited reference, as features of the claim are not taught by or rendered obvious in view of the applied references, either independently or in combination. For example, amended claim 1 recites a bearing including a frame surrounding two matrices, each matrix with a plurality of spheres. The spheres of one matrix are located so as to lie at least in part against the spheres of the other matrix so that rotation of spheres of one matrix results in counter rotation of spheres of the other matrix. The spheres of each matrix are retained in the same position relative to the frame during rotation. In contrast, Coelln teaches a top ball 16 and bottom ball 18 which move relative to the frame, or ball deck 12 (Coelln, Fig. 2). Spring 20 biases "the first and second load supporting balls 16, 18, respectively, to an upward position, and permits balls 16, 18 to be movable to a downward position through a distance D." (Coelln, Fig. 4, col. 5, lines 9-12). As a result, the two balls 16, 18 are not retained in the same position relative to the frame during rotation. For at least this reason, claim 1 is patentable over the prior art of record and is believed to be in condition for allowance. Claims 2-7 are also patentable at least based on direct or indirect dependence on claim 1 and are in condition for allowance. Therefore, reconsideration of this rejection is requested.

Rejections under 35 U.S.C. 103(a)

Claims 2, 5 and 7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Coelln. As stated above, claims 2, 5 and 7 are patentable at least based on direct or indirect dependence on claim 1 and are condition for allowance. Therefore, reconsideration of this rejection is requested.

New Claims

New claims 8-16 have been added and are believed to be allowable.

Independent claim 8 is directed to a bearing including the limitations of claim 1 and claim 6 as filed. In the Office Action, the Examiner indicated claim 6 would be allowable if rewritten in independent form to include all of the limitation of the base claim 1. As such, claim

8 is allowable. Claims 9-11 are also patentable at least based on direct or indirect dependence on claim 8 and are condition for allowance.

Independent claim 12 recites a bearing including a frame surrounding two matrices each of a plurality of spheres, each matrix when flat having its spheres mounted for rotation in at least part a single plane, the plane of one matrix being parallel to that of the other matrix. Each sphere of one matrix is contiguous with a plurality of spheres of the other matrix so that rotation of a sphere of one matrix results in counter rotation of a plurality of spheres of the other matrix. Applicant respectfully submits that claim 12 is patentable over the references of record, as features of the claim are not taught by or rendered obvious in view of the references, either independently or in combination. For example, in Coelln the first ball and second ball 16, 18 are retained within a housing 14 remote from any other ball. (Coelln, Fig. 2). The "first freely rotating load supporting ball 16 is located in upper section or portion 36... of housing chamber 34... first housing 14 has a substantially circular frictionless sleeve 38 located in upper portion 36 of chamber 34, as shown in FIGS. 2, 3. Sleeve 38 has inner diameter bore 40 for retaining first ball 16 such that first ball 16 has limited lateral movement." (Coelln, col. 3, lines 45-60). With the arrangement taught by Coelln, the balls 16, 18 form a distinct set disposed remotely from any other set of balls. As such, the first ball 16 touches only the second ball 18, and not a plurality of balls. Further, rotation of the first ball 16 results in counter rotation of only second ball 18, and not any other balls. As such, claim 12 is allowable. Claims 13-16 are also patentable at least based on direct or indirect dependence on claim 12 and are condition for allowance.

Conclusion

In summary, independent claims 1, 8 and 12 are believed to be allowable. Further, the remaining pending dependent claims are allowable at least based on direct or indirect dependence from claims 1, 8 and 12.

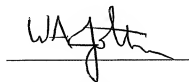
In view of the above amendments and remarks, it is respectfully submitted that all pending claims of this application are in condition for allowance. Accordingly, a Notice of Allowance for all pending claims of this application is respectfully solicited. Furthermore, if the Examiner believes that additional discussions or information might advance the prosecution of

this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,

Date: _____

12/18/09

A handwritten signature in black ink, appearing to read 'W.A. Johnston', is written over a horizontal line.

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